

Attorney Docket No.: MED03-11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Charles D. Lennox, Steven M. Johnson, Susan Beinor, Maria Benson, Don Paul Nogueira, John W. Carroll, and Helen Maslocka  
Serial No.: 10/706,327  
For: METHOD AND DEVICE FOR RAPIDLY INDUCING AND THEN MAINTAINING HYPOTHERMIA  
Filing Date: November 12, 2003  
Examiner: Unassigned  
Art Unit: 3736  
Conf. No.: 6437

**Certificate of Mailing Under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

Date: January 27, 2005

By: Mary A. Maietta

(Typed or printed name of person mailing Document, whose signature appears below)

Signature: Mary A. Maietta

**MAIL STOP AMENDMENT**

Commissioner for Patents

PO Box 1450

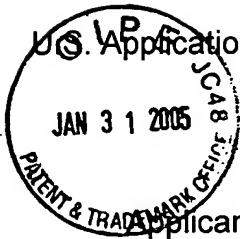
Alexandria, Virginia 22313-1450

**TRANSMITTAL LETTER**

Sir:

Enclosed is/are:

- [x] Transmittal Letter (this form, 2 pages, in duplicate), Total Pages: 4;
- [x] Information Disclosure Statement, Total Pages: 3;
- [x] PTO-1449 Form, Total Pages: 1;
- [x] Return Receipt Pre-paid Postcard (in duplicate), Total Postcards: 2;
- [x] Authorization to charge Deposit Account No. 50-0901, if required.



U.S. Application No.: 10/706,327

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Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,

Jeffrey J. Duquette Esq.  
U.S.P.T.O. Registration No.: 45,487  
Attorney for Applicant  
CHAPIN & HUANG, L.L.C.  
Westborough Office Park  
1700 West Park Drive  
Westborough, Massachusetts 01581  
Telephone: (508) 366-9600  
Facsimile: (508) 616-9805

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or (If IDS filed as first/second submission  
after Final Rejection);

☒ under 37 CFR 1.97(b), or (If IDS Filed within three months of filing  
national application; or date of entry of the national stage in international  
application; or before mailing date of first office action on the merits;  
whichever occurs last);

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- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or (If filed after the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a Petition under 37 CFR 1.97(d)(2), and
- ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i). (If IDS filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- ☐ Applicant requests that the attached IDS and cited reference(s) be placed in the application filewrapper. (If IDS filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed herewith is Form PTO-1449:

- ☐ Copy of the cited references are enclosed except for those which qualify under 37 CFR 1.98(a)(2)(i).
- ☐ Copy of cited references are enclosed except those entered in a prior application, having U.S. Serial No. \_\_\_\_\_, and references that are not required to be submitted under 37 CFR 1.98.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

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- [X] Pursuant to the Official Gazette Notice of August 5, 2003 the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication is waived for all U.S. national patent applications filed after June 30, 2003.

Concise Explanation Requirement (required for non-English references):

- [ ] The "concise explanation" requirement for reference(s) under 37 CFR 1.98(a)(3) is satisfied by:
- [ ] the explanation provided on the attached sheet.
  - [ ] the explanation provided in the Specification.
  - [ ] submission of the enclosed International Search Report.
  - [ ] the enclosed English language abstract.

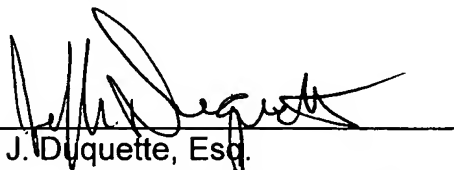
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [X] No fee is required for this Information Disclosure Statement.
- [ ] Enclosed is a check for \$180.00, which covers the Information Disclosure Fee.
- [ ] A copy of this Statement is enclosed.

Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

Respectfully submitted,



Jeffrey J. Duquette, Esq.  
U.S.P.T.O. Registration No.: 45,487  
Attorney for Applicant  
CHAPIN & HUANG, L.L.C.  
Westborough Office Park  
1700 West Park Drive  
Westborough, Massachusetts 01581  
Telephone: (508) 366-9600  
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Dated: January 27, 2005

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.

APPLICATION SERIAL NO.

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

MED03-11

10/706,327

APPLICANT

Charles D. Lennox, et al.

FILING DATE

November 12, 2003

GROUP

3736

**U. S. PATENT DOCUMENTS**

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE mm/dd/yy	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA	US 4,770,169	09/13/88	Schmoegner, et al.	128	207.13	02/13/87
	AB	US 5,486,207	01/23/96	Mahawili	607	104	09/20/94
	AC	US 5,697,920	12/16/97	Gibbons	604	289	01/16/96
	AD	US 6,406,447	06/18/02	Thrash, et al.	601	160	03/05/97
	AE	US 6,656,208 B2	12/02/03	Grahn, et al.	607	104	04/20/01
	AF	US 6,602,277 B2	08/05/03	Grahn, et al.	607	108	06/07/01

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

